

### **REMARKS**

Applicants appreciate the Examiner's thorough consideration provided in the present application. Claims 1-15 are currently pending in the instant application. Claims 1-14 have been amended and claim 15 has been added. The subject matter of additional claim 15 is fully supported by the original written description, including, but not limited to FIGs. 6-8 and the corresponding description in the specification. Claims 1, 6, 8, 13 and 15 are independent. Reconsideration of the present application is earnestly solicited.

### **Allowable Subject Matter**

Applicants appreciate the Examiner's indication of allowable subject matter. Specifically, the subject matter of claims 6, 7, 13 and 14 has been indicated as being allowable if rewritten in independent format. Without conceding the propriety of the Examiner's rejections, but merely to expedite the prosecution of the present application, Applicants have incorporated allowable features of original claim 7 and 14 into independent claims 1 and 8, respectively. In addition, claims 6 and 13 have amended into allowable, independent format. As described in greater detail hereinafter, Applicants

submit that all of the claims should be allowed and the present application should be passed to Issue.

### **Priority**

Applicants appreciate the Examiner's indication of acceptance of the certified copy of the corresponding priority document for the present application.

### **Drawings**

Applicants would appreciate the Examiner's indication of acceptance of the formal drawings filed on August 25, 2003. In addition, Applicants have not received a copy of the Notice of Draftperson's Patent Drawing Review (PTO-948) with this Office Action. Since the Examiner has not cited any informalities with the drawings, Applicants submit that it appears the formal drawings filed on August 25, 2003 should be approved. Accordingly, Applicants are not required to take any further action with respect to the drawings.

**Claim Rejection Under 35 U.S.C. § 112**

Claims 1-7 have been rejected under 35 U.S.C. § 112, second paragraph as being indefinite for failing to particularly point out and distinctly claim the subject matter of the claimed invention. This rejection is respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that these rejections have been obviated and/or rendered moot. However, Applicants respectfully submit that the foregoing amendments have been made to merely clarify the terms mounting planes or mounting plates in the claimed invention as “mounting surfaces.”

Without conceding the propriety of the Examiner’s rejections, but merely to timely advance the prosecution of the application, Applicants have incorporated the changes recommended by the Examiner. In addition, Applicants submit that the requested changes do not appear to either raise a substantial question of the patentability of the claimed invention nor do they narrow the scope of the claimed invention.

**Claim Rejection Under 35 U.S.C. § 102**

Claims 1 and 8 have been rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Yagasaki et al. (U.S. Patent No. 4,696,509). Claims 1, 4, 8 and 11 have been rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Maruoka (U.S. Patent No. 4,514,006). Claims 1, 4, 8 and 11 have been rejected under 35 U.S.C. § 102(b) as being allegedly anticipated by Nebu et al. (U.S. Patent No. 4,830,423). These rejections are respectfully traversed.

In light of the foregoing amendments to the claims, Applicants respectfully submit that all of the rejections have been obviated and/or rendered moot. Without conceding the propriety of the Examiner's rejection, but merely to expedite the prosecution of the present application, Applicants have amended claims 1 and 8 to clarify the invention for the benefit of the Examiner. Specifically, Applicants have amended claims 1 and 8 to explicitly state those features that were implicitly stated in the original claims. Therefore, Applicants submit that the prior art of record fails to teach or suggest each and every limitation of the unique combination of limitations of the claimed invention. Accordingly, this rejection should be withdrawn.

With respect to claim 1, the prior art of record fails to teach or suggest the combination of limitations of the claimed invention, including the feature(s) of: “a windscreen extending upwardly from the front cowl and being secured to each of the mounting surfaces with a bolt so as to be capable of adjustment with respect to a vertical direction of the vehicle body, *wherein the windscreen is formed with a pair of upper and lower mounting holes corresponding to the mounting surfaces to permit adjustment with respect to the vertical direction.*” (Emphasis Added) Accordingly, this rejection should be withdrawn.

With respect to claim 8, the prior art of record fails to teach or suggest the combination of limitations of the claimed invention, including the feature(s) of: “a windscreen extending upwardly from the front cowl and being secured to each of the mounting surfaces with a bolt so as to be capable of adjustment with respect to a vertical direction of the front cowl and the windscreen, *wherein the windscreen is formed with a pair of upper and lower mounting holes corresponding to the mounting surfaces to permit adjustment with respect to the vertical direction.*” (Emphasis Added) Accordingly, this rejection should be withdrawn.

As indicated by the Examiner in the Office Action, the prior art of record fails to teach or suggest the unique combination of limitations of the claimed

invention, including the allowable features added to amended claims 1 and 8. Accordingly, these rejections should be withdrawn.

As to the dependent claims, Applicants respectfully submit that these claims are allowable due to their dependence upon an allowable independent claim, as well as for additional limitations provided by these claims.

**Claim Rejection Under 35 U.S.C. § 103**

Claims 2, 3, 9 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Yagasaki et al. in view of Armstrong (U.S. Patent No. 5,853,217). Claims 2, 3, 9 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Maruoka in view of Armstrong. Claims 2, 3, 9 and 10 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Nebu et al. in view of Armstrong. Claims 5 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Yagasaki et al. in view of Armstrong, Maruoka in view of Armstrong or Nebu et al. in view of Armstrong, and further in view of Vezza (Italian Patent Document No. 528604). These rejections are respectfully traversed.

In light of the foregoing amendments to claims 1 and 8, Applicants submit that these rejections have been obviated and/or rendered moot.

Applicants submit that Armstrong and/or Vezza fail to teach or suggest the shortcomings of the Yagasaki et al., Maruoka and Nebu et al. references identified hereinabove with respect to the rejections under 35 U.S.C. § 102(b). Accordingly, these rejections have been obviated and/or rendered moot.

In accordance with the above discussion of the patents relied upon by the Examiner, Applicants respectfully submit that these documents, either in combination together or standing alone, fail to teach or suggest the invention as is set forth by the claims of the instant application.

### **CONCLUSION**

Since the remaining references cited by the Examiner have not been utilized to reject the claims, but merely to show the state-of-the-art, no further comments are deemed necessary with respect thereto.

All the stated grounds of rejection have been properly traversed and/or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently pending rejections and that they be withdrawn.

In the event there are any matters remaining in this application, the Examiner is invited to contact Matthew T. Shanley, Registration No. 47,074 at (703) 205-8000 in the Washington, D.C. area.

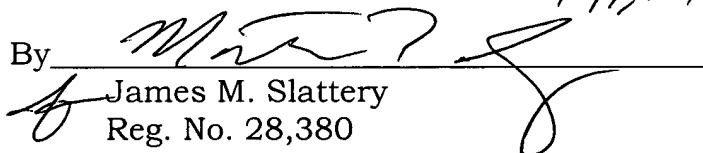
Pursuant to 37 C.F.R. §§ 1.17 and 1.136(a), Applicants respectfully petition for a one (1) month extension of time for filing a reply in connection with the present application, and the required fee of \$110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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